

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT FIREMAN & ANN RAIDER)
Plaintiffs,)
)
v.) Civ. A. No. 05-11740-MLW
)
News America Marketing In-Store,)
Inc.,)
Defendant)

ORDER

WOLF, D.J.

June 28, 2007

For the reasons stated in court on June 26, 2007, it is hereby
ORDERED that:

1. Plaintiffs' Motion to Compel Responses to Discovery Requests (Docket No. 17) is DENIED.
2. Plaintiffs' Motion to Modify Scheduling Order (Docket No. 28) is DENIED without prejudice.
3. The parties shall complete discovery by July 20, 2007.
4. If plaintiffs wish to renew their motion to designate an expert late, they shall, by August 10, 2007, file a motion, affidavit(s), memorandum, and expert disclosure in order to attempt to show either that they have a substantial justification for designating their expert late or that designating their expert late is harmless. See Fed.R.Civ.P. 37(c); Alves v. Mazda Motor of Am., Inc., 448 F. Supp. 2d 285, 293 (D. Mass. 2006).
5. Defendant shall respond to any such motion by August 24, 2007.
6. The parties shall meet and confer regarding settlement

or mediation of this dispute, and report to the court by September 14, 2007 as to settlement, mediation, and whether any basis for a summary judgment motion exists.

7. Counsel shall attend a conference on October 4, 2007 at 3:30 p.m., with their clients.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE